

TOWN OF SOUTHAMPTON

Department of Land Management
Zoning Board of Appeals
116 HAMPTON ROAD
SOUTHAMPTON, NY 11968

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PRELIMINARY AGE NDA – NOT OFFICIAL

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS PUBLIC HEARING AGENDA September 3, 2015

The Zoning Board of Appeals meeting is held in the Town Board Room, 116 Hampton Road, Southampton. Applications are scheduled to begin at 7:00 p.m., or shortly thereafter. Applications may not be heard in the order as they appear on this agenda. Current agendas may be viewed on the internet at the following address: www.southamptontownny.gov

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES

Please note: Applications highlighted in GRAY have requested an adjournment or have requested to withdraw the application

MINOR VARIANCE REVIEW

SCTM - HAMLET

1. **Larry & Joanne Brown** (appl. 1500130) Helene 900-341-2-44 East Quogue
5 Friese Drive
Applicant requests relief for a principal front yard setback of 36.4 feet where 40 feet is required for a proposed covered entry porch on a nonconforming lot and any other relief necessary.

NEW APPLICATIONS

SCTM – HAMLET

2. **Carolyn Eghrari** (appl. 1500131) Denise 900-56-1-20.2 Sagaponack
104 Merchants Path
Applicant requests a determination that the subject parcel SCTM# 900-56-1-20.2 is held in single and separate ownership from the adjacent parcel identified as SCTM# 900-56-1-20.3 (North & East) and the adjacent parcel identified as SCTM# 900-56-1-20.1 (South) and thus entitled to relief pursuant to §330-115D(3) and any other relief necessary.
3. **Ocean Road Partners, LLC.** (appl. 1500135) Laura 900-105-2-24 Bridgehampton
765 Ocean Road
Applicant requests a determination as to whether or not the proposed accessory building (two-story sports barn) is a subordinate or incidental building pursuant to §330-5 (definitions) because of its size in proportion to the main dwelling and its proposed use any other relief necessary.

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NEW APPLICATIONS - Continued

SCTM – HAMLET

4. **Citarelli, LLC.** (appl. 1500133) Denise 900-36-3-6 Westhampton
137 Montauk Highway
Applicant requests relief from Town Code §330-6 (general regulations) and Town Code §330-167(B)(3) (specific types of variances) to permit a change from one nonconforming use to another nonconforming use, to wit, from a commercial Newspaper printing and publishing business to: (i) an office/retail, and (ii) a special trade contractor and storage use on a nonconforming lot and any other relief necessary.
5. **Jonathan Zack** (appl. 1500132) Keith 900-324-2-26 Hampton Bays
10 White Lane
Applicant requests a determination that the subject parcel SCTM# 900-324-2-26 is held in single and separate ownership from the adjacent parcel to the East identified as SCTM# 900-324-2-27 and thus entitled to relief pursuant to §330-115D. In addition, applicant requests relief from Town Code §330-115C (continuance) for a proposed principal front yard setback of 26.5 feet where 37.8 feet is existing and relief from Town Code §330-11 (residence districts table of dimensional regulations) for a proposed lot coverage of 23% where 20% is required; all for a proposed one-story dwelling on a nonconforming lot and any other relief necessary.
6. **Maxine Levy** (appl. 1500134) Brian 900-354-4-113.5 Westhampton
9 East Ridge Court
Applicant requests a determination that the subject parcel SCTM# 900-354-4-113.5 is held in single and separate ownership from the adjacent parcel to the East identified as SCTM# 900-354-4-113.6 and the adjacent parcel to the Southwest identified as SCTM# 900-354-4-113.4 and thus entitled to relief pursuant to §330-115D(3). In the alternative, applicant requests relief from Town Code §330-11 (residence districts table of dimensional regulations) for a proposed principal front yard setback of 45.97 feet where 60 feet is required for a proposed garage and foyer addition to the existing residence on a nonconforming lot and any other relief necessary.

READVERTISED APPLICATIONS

SCTM – HAMLET

7. **Michael Denktsis** (appl. 1500093) 900-234-1-3 Shinnecock Hills
300 Montauk Highway
Applicant requests relief from Town Code §330-116 (extension) as it relates to Town Code §330-167B(1)(a) (specific types of variances) to legalize the conversion of a detached garage into 3 additional motel units without the benefit a building permit. In addition, applicant requests a determination as to whether relief is necessary to legalize the expansion of the single family dwelling which also operates as the motel's office to wit, an addition to the rear of the dwelling and any other relief necessary.

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NEW - ADJOURNED APPLICATIONS

SCTM – HAMLET

Adjourned from the 8/6/15 meeting:

8. **JTEN Properties, LLC.** (appl. 1500118) Adam 900-231-1-30.1 Hampton Bays
5 South Valley Road
Applicant requests relief from Town Code §330-100(F)(1) (exemptions and waivers of parking and truck loading space requirements) and Town Code §330-78 (placement of accessory buildings and uses in nonresidential districts) to allow the coordination of 13 off street parking spaces to be located 0 feet from the westerly property line where a setback of 10 feet is required, on a site which benefits from a residential use located in a “Motel” zoning district, where the coordination of parking areas requires commercial sites and any other relief necessary.

Adjourned from the 8/6/15 meeting:

9. **JTEN, Inc.** (appl. 1100096) Adam 900-231-1-31 Hampton Bays
295 East Montauk Highway
Applicant is requesting relief for two signs on a nonconforming lot: Sign no.1 is an existing amortized awning sign and the request for relief is as follows: relief from Town Code §330-205(H) (general provisions) to allow the lettering on the awning to be 20 inches where a maximum height of 6 inches is permitted. Sign no. 2 is a proposed freestanding sign and the request for relief is as follows: 1. §330-205B(2): to allow the proposed location of the existing sign to be 1 foot from the southerly property line (Montauk Highway) where a setback of 20 feet is required, and 2. §330-84(D) (pyramid height) for an encroachment into the sky plane in the amount of 12 cubic feet. In addition, applicant request relief from the following provisions of the Town Code: (1) For a parking area to be located within transition yards: (i) 330-83G(1)(a) to allow a parking area to be located 1 foot from the northerly property line where a 17 foot setback is existing; (ii) Town Code §330-78 (placement of accessory buildings and uses in non residential districts) to allow a parking area to be located 0 feet from the easterly property line where a setback of 10 feet is required; and (iii) Town Code §330-100(F)(1) (exemptions and waivers of parking and truck loading space requirements) to allow a parking area (subject to Planning Board approval) to be located on a commercial site (subject premises) and the adjoining site to the East which benefits from a residential use located in a “Motel” zoning district, where the coordination of parking areas requires commercial sites and any other relief necessary.

SCOPING SESSION

SCTM – HAMLET

None scheduled for this meeting

HOLDOVER APPLICATIONS

SCTM – HAMLET

Held over from the 7/16/15 meeting:

10. **David & Charlene Betts** (appl. 1500103) Herb 900-61-1-74 North Sea
7 Helens Lane
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 10,204 cubic feet for a proposed two-story dwelling on a nonconforming lot and any other relief necessary.

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HOLDOVER APPLICATIONS - Continued

SCTM – HAMLET

Held over from the 8/6/15 meeting:

11. **Maria Pasch** (appl. 1500110) Keith 900-189-1-27 Hampton Bays
3 Shinnecock Place
Applicant requests relief from Town Code §330-115C (continuance) for a proposed principal front yard setback of 25 feet where 33.6 feet is existing for proposed covered porch and Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 7,110 cubic feet (North side 639 cu ft (75 cu ft existing + 564 cu ft proposed) and South side 6,471 cu ft (3,130 cu ft existing + 3,341 cu ft proposed) for a proposed 2nd story addition to the existing dwelling on a nonconforming lot. In addition, applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) to allow a total lot coverage of 32.61% where a maximum of 20% is permitted on a nonconforming lot and any other relief necessary.

Held over from the 8/6/15 meeting:

12. **Claes Ekstrom & Cecile Mattei** (appl. 1500114) 900-103-1-30 Water Mill
35 Huntington Lane Laura
Applicant requests a determination that the subject parcel SCTM# 900-103-1-30 is held in single and separate ownership from the adjacent parcels identified as SCTM# 900-103-1-29 (South) and SCTM# 900-103-1-27 (South/East) and thus entitled to relief pursuant to §330-115D. If it is determined that the subject premises is a single and separate parcel, then applicant requests relief from the following provisions of the Town Code for a proposed two-story dwelling with pool and accessory building (pool house) on a nonconforming lot: 1. §330-11 (residential districts table of dimensional regulations) for total lot coverage of 23% where a maximum of 20% is permitted and a principal front yard setback of 35.8 feet to the proposed covered porch where 40 feet is required, 2. §330-115(D)(2) for a principal rear yard setback of 36.5 feet where 38.65 feet is permitted, 3. §330-77D (placement of accessory buildings and uses in residence districts) for rear yard coverage of 22.8% where a maximum of 20% is permitted, and 4. §330-84D (pyramid height) for a proposed encroachment in the amount of 3,492 cubic feet and any other relief necessary.

Held over from the 8/20/15 meeting:

13. **Oriana Stevkovski** (appl. 1500124) Herb 900-380-2-42 Remsenburg
21 Club Lane
Applicant requests relief from the following provisions of the Town Code: 1. To legalize an addition to the northerly side of the existing dwelling constructed without the benefit of a building permit on a nonconforming lot: (i) §330-115C (continuance) for a principal minimum side yard setback to 4.7 feet where 12 feet is existing and, (ii) §330-84D (pyramid height) for an encroachment in the amount of 247 cubic feet; 2. To legalize an addition to the westerly side of the existing dwelling constructed without the benefit of a building permit: §330-115C (continuance) a rear yard setback of 34.1 feet where 46.5 feet is existing and any other relief necessary.

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<u>DECISIONS</u>		<u>DATE CLOSED</u>	<u>SCTM – HAMLET</u>	
Amy Politi-Johnson (written submissions by 8/20/15)	Denise	8/6/15	900-77-2-68	North Sea
Dawn Thompson	Herb	8/6/15	900-376-2-6	Westhampton
James Harris	Brian	8/6/15	900-391-1-27.1	Westhampton
J. O'Brien Holdings, LLC	Keith	8/6/15	900-158-1-15	Tuckahoe
Thomas J. Hooker Jr., James Patrick Hooker, Michael D. Hooker & Timothy E. Hooker	Adam	8/20/15	900-148-5-2	Flanders
28 Middle Pond Associates, LLC (written submissions)	Helene	8/20/15	900-234-3-32	Shinnecock Hills
Laurene Chornoma & Claudia LaMelza (written submissions)	Brian	8/20/15	900-366-1-7.1 & 7.3	Remsenburg/Speonk
Robert Lertora (written submissions)	Keith	8/20/15	900-258-1-6	Hampton Bays
Greg & Susan Mastronardi	Adam	8/20/15	900-323-1-33.1	Hampton Bays
161 Mid Ocean Drive, LLC	Herb	8/20/15	900-134-4-49.5	Bridgehampton
Marko J. & Julie A. Ratesic (written submissions)	Laura	8/6/15	900-330-2-16.4	Westhampton
Frederick & Lois Kelsey (written submissions by 7/31)	Adam	7/16/15	900-9-1-21	Noyac